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10/605,574	10/09/2003	Craig A. Paulsen	IGTIP102	2573
22434	7590	01/10/2007	EXAMINER	
BEYER WEAVER LLP			BROWN, VERNAL U	
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OAKLAND, CA 94612-0250			PAPER NUMBER	
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SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/10/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/605,574

Applicant(s)

PAULSEN ET AL.

Examiner

Vernal U. Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-9,11-14,16-25,27-32,34-37,39-41 and 43-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-9,11-14,16-25,27-32,34-37,39-41 and 43-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is responsive to communication filed on 12/21/06.

#### ***Response to Amendment***

The examiner has acknowledged the amendment of claims 1, 31, and 36.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-4, 6-9, 11-14, 16-25, 27-32, 34-37, 39-41, and 43-47 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 11-14, 16, 20, 24-25, 27-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Bacchiaz European Patent Application publication EP 1157906.

Regarding claims 11-13, 16, Bacchiaz teaches a method of providing security in a key accessible environment comprising: receiving a key in a lock, providing a first indicia formed by the keyed cutting of the blade of the key (paragraph 012), reading a second indicia provided by the fingerprint acquired by the sensor of the key, the fingerprint is analyzed with respect to stored biometric information in a host computer which is separate from the key (paragraph 029).

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Bacchiaz teaches authorizing the use of the key based on the reading of the first and second indicia (paragraph 029).

Regarding claim 14, Bacchiaz teaches capturing live data by using the fingerprint scanner of the key to obtain a fingerprint (paragraph 028) .

Regarding claim 20, Bacchiaz teaches a smart card chip for storing personal identification information in the key (paragraph 043).

Regarding claims 24-25, 27, 29, 30 Bacchiaz teaches an electromechanical lock for securing a key accessible environment comprising: receiving a key in a lock, providing a first indicia formed by the keyed cutting of the blade of the key (paragraph 012), reading a second indicia provided by the fingerprint acquired by the sensor of the key, the fingerprint is analyzed with respect to stored biometric information in a host computer which is separate from the key (paragraph 029). Bacchiaz teaches authorizing the use of the key based on the reading of the first and second indicia (paragraph 029).

Regarding claim 28, Bacchiaz teaches a smart card chip for storing personal identification information in the key (paragraph 043).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattice et al. US Patent Application Publication 20020142831 in view of Bacchiaz European Patent Application publication EP 1157906 and further in view of Gokcebay et al. US Patent 6374653.

Regarding claims 1-4 and 6, Mattice et al. teaches a method of providing security to a gaming machine using a biometric key to control access to the gaming machine (paragraph 034) and a person gain access to the locked area of a gaming machine by inputting his or her personal identification information using an input device (35) and the host computer determines the authorized access (paragraph 059). Mattice et al. is silent on teaching the input device is a mechanical key and a first and second source of indicia is read from the mechanical key. Bacchiaz in an art related biometric key invention teaches a biometric key (10) having a biometric sensor (14) (paragraph 023). Bacchiaz teaches the key. Mattice et al. in view of Bacchiaz is however silent on teaching restricting access to the key accessible environment selectively based on one or more additional factors. Gokcebay et al. in an art related locking mechanism teaches restricting access to the key accessible environment by restricting the times and dates the key can access the lock environment (col. 5 lines 44-52, col. 19 lines 36-44).

It would have been obvious to one of ordinary skill in the art to modify the gaming machine of Mattice et al. as disclosed by Bacchiaz in view of Gokcebay et al. because a mechanical key with a biometric sensor represent a suitable input device for controlling access to a gaming machine and the restricting access to the key accessible environment based on additional factors such as time of day further increase the security of the gaming machine.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattice et al. US Patent Application Publication 20020142831 in view of Bacchiaz European Patent

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Application publication EP 1157906 in view of Gokcebay et al. US Patent 6374653 and further in view of Bradford et al. US patent 6709333.

Regarding claims 7-8, Mattice et al. teaches a method of providing security to a gaming machine using a biometric key to control access to the gaming machine (paragraph 034) but is silent on teaching the biometric information includes facial recognition and retina scan. Bradford et al. in an art related identification system teaches the use of biometric information (col. 5 lines 20-25) for uniquely identifying a user and also teaches embedding the biometric identification information in a key (col. 5 lines 36-51) and the biometric information includes fingerprint, facial recognition, and retina scan (col. 5 lines 43-46) in order for the identifying means to be carried and use easily.

It would have been obvious to one of ordinary skill in the art to modify the system of Mattice et al. in view of Bacchiaz in view of Gokcebay et al. as disclosed by Bradford because facial recognition and retina scan are conventional biometric means used for providing identification.

Regarding claim 9, Mattice et al. teaches a method of providing security to a gaming machine using a biometric key to control access to the gaming machine (paragraph 034) but is silent on teaching revoking a previously authorized user ID. Gokcebay et al. in an art related locking mechanism teaches a programmable lock and teaches revoking a previously authorized ID by reprogramming the lock (col. 17 lines 12-19) for changing access to the locking device.

It would have been obvious to one of ordinary skill in the art to modify the system of Mattice et al. in view of Bacchiaz as disclosed by Gokcebay et al. because revoking a

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previously authorized user ID allows the access list to be updated and ensure that only authorized person have access t the locking mechanism.

Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bacchiaz European Patent Application publication EP 1157906 in view of Bradford et al. US patent 6709333.

Regarding claims 17-18, Mattice et al. teaches a method of providing security using a biometric key to control access to a secured area (paragraph 828) but is silent on teaching the biometric information includes facial recognition and retina scan. Bradford et al. in an art related identification system teaches the use of biometric information (col. 5 lines 20-25) for uniquely identifying a user and also teaches embedding the biometric identification information in a key (col. 5 lines 36-51) and the biometric information includes fingerprint, facial recognition, and retina scan (col. 5 lines 43-46) in order for the identifying means to be carried and use easily.

It would have been obvious to one of ordinary skill in the art to modify the system of Mat Bacchiaz as disclosed by Bradford because facial recognition and retina scan are conventional biometric means used for providing identification.

Claims 19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bacchiaz European Patent Application publication EP 1157906 in view of Bradford et al. US patent 6709333 and further in view of Gokcebay et al. US Patent 6374653.

Regarding claim 19, Bacchiaz teaches a method of providing security using a biometric key to control access to a secured area (paragraph 828) but is silent on teaching revoking a previously authorized user ID Gokcebay et al. in an art related locking mechanism teaches a

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programmable lock and teaches revoking a previously authorized ID by reprogramming the lock (col. 17 lines 12-19) for changing access to the locking device.

It would have been obvious to one of ordinary skill in the art to modify the system of Bacchiaz in view of Bradford et al. as disclosed by Gokcebay et al. because revoking a previously authorized user ID allows the access list to be updated and ensure that only authorized person have access t the locking mechanism.

Regarding claims 21-22, Bacchiaz teaches a method of providing security using a biometric key to control access to a secured area (paragraph 028) but is silent on teaching restricting access to the key accessible environment selectively based on one or more additional factors. Gokcebay et al. in an art related locking mechanism teaches restricting access to the key accessible environment by restricting the times and dates the key can access the lock environment (col. 5 lines 44-52, col. 19 lines 36-44).

It would have been obvious to one of ordinary skill in the art to modify the system of Bacchiaz in view of Bradford as disclosed by Gokcebay et al. because restricting access to the key accessible environment based on additional factors such as time of day further increase the security of the gaming machine.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bacchiaz European Patent Application publication EP 1157906 in view of Mattice et al. US Patent Application Publication 20020142831.

Regarding claim 23, Bacchiaz teaches a method of providing security using a biometric key to control access to a secured area (paragraph 028) but is silent on teaching the accessible

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environment comprises a gaming machine. Mattice et al in an art related invention in the same field of endeavor of access control teaches the use of a biometric key to control access to a gaming machine (paragraph 059).

It would have been obvious to one of ordinary skill in the art to use the biometric key of Bacchiaz to restrict access in a gaming machine as disclosed by Mattice et al because the use of biometric key provides a more secure gaming machine than the mechanical key.

Claims 31-32 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattice et al. US Patent Application Publication 20020142831 in view of Bacchiaz European Patent Application publication EP 1157906.

Regarding claims 31-32 and 34 Mattice et al. teaches a gaming machine adapted to accept a wager and play a game based on the wager (paragraph 029) comprising a key accessible area containing gaming machine components using a biometric key to control access to the gaming machine and a person gain access to the locked area of a gaming machine by inputting his or her personal identification information using an input device (35) (paragraph 034) . Mattice et al. is silent on teaching the input device is a mechanical key and a first and second source of indicia is read from the mechanical key. Bacchiaz in an art related biometric key invention teaches a biometric key (10) having a biometric sensor (14) (paragraph 023). Bacchiaz teaches the key. Mattice et al. in view of Bacchiaz is however silent on teaching restricting access to the key accessible environment selectively based on one or more additional factors. Gokcebay et al. in an art related locking mechanism teaches restricting access to the key accessible environment by restricting the times and dates the key can access the lock environment (col. 5 lines 44-52, col. 19 lines 36-44).

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It would have been obvious to one of ordinary skill in the art to modify the gaming machine of Mattice et al. as disclosed by Bacchiaz because a mechanical key with a biometric sensor represent a suitable input device for controlling access to a gaming machine.

Regarding claim 35, Mattice et al. teaches a method of providing security to a gaming machine using a biometric key to control access to the gaming machine (paragraph 034) but is silent on teaching the second source of indicia involve the use of a active PIN. Bacchiaz in an art related biometric key invention teaches a biometric key (10) having a biometric sensor (14) (paragraph 023) and the key also include a smart card chip for storing personal identification information in the key (paragraph 043).

It would have been obvious to one of ordinary skill in the art to modify the gaming machine of Mattice et al. as disclosed by Bacchiaz because a mechanical key with a biometric sensor represent a suitable input device for controlling access to a gaming machine and the use of a personal identification along with the biometric information further increases the security of the system.

Claim 36-37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattice et al. US Patent Application Publication 20020142831 in view of Bacchiaz European Patent Application publication EP 1157906 and further in view of Gokcebay et al. US Patent 6374653.

Regarding claims 36-37, and 39, Mattice et al. teaches a method of providing security to a gaming machine using a biometric key to control access to the gaming machine (paragraph 034) and a person gain access to the locked area of a gaming machine by inputting his or her personal identification information using an input device (35) and the host computer determines

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the authorized access (paragraph 059). Mattice et al. is silent on teaching the input device is a mechanical key and a first and second source of indicia is read from the mechanical key.

Bacchiaz in an art related biometric key invention teaches a biometric key (10) having a biometric sensor (14) (paragraph 023). Bacchiaz teaches the key. Mattice et al. in view of Bacchiaz is however silent on teaching restricting access to the key accessible environment selectively based on one or more additional factors. Gokcebay et al. in an art related locking mechanism teaches restricting access to the key accessible environment by restricting the times and dates the key can access the lock environment (col. 5 lines 44-52, col. 19 lines 36-44).

It would have been obvious to one of ordinary skill in the art to modify the gaming machine of Mattice et al. as disclosed by Bacchiaz in view of Gokcebay et al. because a mechanical key with a biometric sensor represent a suitable input device for controlling access to a gaming machine and the restricting access to the key accessible environment based on additional factors such as time of day further increase the security of the gaming machine.

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mattice et al. US Patent Application Publication 20020142831 in view of Bacchiaz European Patent Application publication EP 1157906 in view of Gokcebay et al. US Patent 6374653 and further in view of Bradford et al. US patent 6709333.

Regarding claim 40, Mattice et al. teaches a method of providing security to a gaming machine using a biometric key to control access to the gaming machine (paragraph 034) but is silent on teaching the biometric information includes facial recognition and retina scan. Bradford et al. in an art related identification system teaches the use of biometric information (col. 5 lines 20-25) for uniquely identifying a user and also teaches embedding the biometric identification

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information in a key (col. 5 lines 36-51) and the biometric information includes fingerprint, facial recognition, and retina scan (col. 5 lines 43-46) in order for the identifying means to be carried and use easily.

It would have been obvious to one of ordinary skill in the art to modify the system of Mattice et al. in view of Bacchiaz in view of Gokcebay et al. as disclosed by Bradford because facial recognition and retina scan are conventional biometric means used for providing identification.

Claim 41 and 43-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattice et al. US Patent Application Publication 20020142831 in view of Bacchiaz European Patent Application publication EP 1157906.

Regarding claim 41, Mattice et al. teaches a security system comprising: a computer server (21) and a gaming machine in communication with the server (figure 2). Mattice et al. teaches an electromechanical lock for securing access to the gaming machine (paragraph 036) and teaches using a biometric key to control access to the gaming machine and access to the locked area of a gaming machine is gained by inputting his or her personal identification information using an input device (35) (paragraph 034). Mattice et al. is silent on teaching the input device is a mechanical key and a first and second source of indicia is read from the mechanical key. Bacchiaz in an art related biometric key invention teaches a biometric key (10) having a biometric sensor (14) (paragraph 023). Bacchiaz teaches the key. Mattice et al. in view of Bacchiaz is however silent on teaching restricting access to the key accessible environment selectively based on one or more additional factors. Gokcebay et al. in an art related locking

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mechanism teaches restricting access to the key accessible environment by restricting the times and dates the key can access the lock environment (col. 5 lines 44-52, col. 19 lines 36-44).

It would have been obvious to one of ordinary skill in the art to modify the gaming machine of Mattice et al. as disclosed by Bacchiaz because a mechanical key with a biometric sensor represent a suitable input device for controlling access to a gaming machine.

Regarding claims 43-44, Mattice et al. teaches a database containing information on the authorized users in communication with the server (paragraph 032).

Regarding claim 45-47, Mattice et al. teaches the authorization signal to access the gaming machine is provided by the server (paragraph 032) and the data received from the input device is considered live data.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

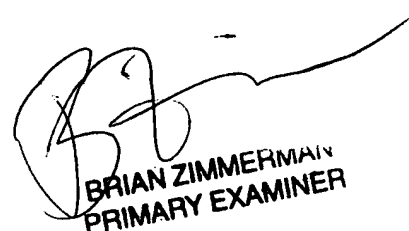
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Vernal Brown  
January 5, 2007



**BRIAN ZIMMERMAN**  
**PRIMARY EXAMINER**